

**Idaho Fish and Game Commission
Meeting May 18-19, 2005**

May 18, 2005

Public Meeting

The meeting was called to order at 7:05 p.m. Chairman Gibbs and Commissioners Wheeler, Watts, Wright, Power, and Hadley were present. Commissioner Alex Irby was absent.

Chairman Gibbs welcomed the public, introduced the Commissioners, and recognized Representative John A. "Bert" Stevenson from Rupert, Idaho, Chairman of the House Resources and Conservation Committee of the Idaho State Legislature. Director Huffaker introduced staff. Jim Unsworth, Chief, Bureau of Wildlife, presented an overview of action items for the May 19 meeting.

Chairman Gibbs opened the meeting to public comment.

Claire Bosen, with the Twin Lakes Canal Company in Preston, briefed the Commission on a proposal to build a dam in the Oneida Narrows. Mr. Bosen showed a map of the location of the proposed 104 foot high dam. In addition to building the dam, the canal company would install a pipe to use water that currently cannot be used during the winter. The dam would help in getting the Bonneville cutthroat trout to their spawning tributary in Bear River by reconnecting Mink Creek. The Canal Company would also be able to leave water in reservoirs to alleviate fish kill. The Company's stockholders own the river and creek frontage and could make much of that available for boat launching and fishing. Mr. Bosen stated that farmers and ranchers in the county want to work with Fish and Game and would like the Department's support.

Don Allen, from Henry, spoke regarding the problems on Blackfoot Reservoir due to water and birds. He is interested in keeping water in the Reservoir and getting fish planted. He has been told the Department will not plant fish this year. Chairman Gibbs suggested Mr. Allen talk to Virgil Moore.

John Chatburn, from the Idaho Department of Agriculture (ISDA), spoke regarding IDAPA 02-04-05, the rules on feeding of big game animals approved by the legislature in the last session. Page 4 in the rules apply to eastern Idaho and were put in place to reduce the risk and spread of brucellosis from big game to livestock and between big game animals. It prohibits private feeding of big game animals except for emergency feeding or supplemental feeding as approved by the Department of Fish and Game. This applies to all of Bear Lake and Caribou Counties, and Bonneville, Jefferson, Madison, Teton, Fremont and Clark Counties east of I15. The rules allow the Department to conduct inspections and work with private property owners. There is an issue with people intentionally feeding the elk in the counties mentioned, which have tested positive for incidence of brucellosis. Some don't believe the ISDA has the authority to enforce the statute and plan to challenge it. Mr. Chatburn encouraged people not to break the rules intentionally but to instead pursue legal recourse. Mr. Chatburn offered to meet with any groups in the community who are interested in discussing the rules and how to comply with them. The ISDA worked with the Idaho Cattle Association, the Farm Bureau, the Department of Fish and Game, and the Fish and Game Advisory Committee to put the rules together.

Nate Helm, Executive Director of Sportsmen for Fish and Wildlife (SFW) thanked the Director and staff for their work on the Caribou Forest Travel Plan. SFW has had meetings with interest groups on the Plan's

impacts on hunters and motorized access. Members of SFW are concerned about going to a closure in general which would eliminate use in the long term. They would prefer seasonal closures or restrictions on motorized use during specific seasons. They have talked about how individuals can “police” users who are not following the law. SFW is excited about progress on preference points. They want to be involved and have questions about what to expect and the timelines. Mr. Helm commented that SFW is interested in getting the Department to work with the Forest Service to get authority to collar wolves. They are concerned about diluting the progress on wolves by including research on other species. They would like the Department to focus on wolves rather than collaring elk and do that separately or secondarily.

Travis Bullock, outfitter and Vice President of the hunt section for the Outfitters and Guides Association (OGA) thanked the Commission for extended the bear baiting season. The OGA hopes this will reduce the bear population. Taylor Ranch/University of Idaho has done studies to document numbers of calves and cows. Mr. Bullock would like the Department to work with them to see what they can do to get calf crops up. Mr. Bullock was appointed by the Governor to replace Scott Farr on the Idaho Outfitters and Guides Licensing Board (IOGLB). He would like to work on an MOU with Fish and Game. One of Mr. Bullock’s goals is to make sure allocation keeps going smoothly. The Licensing Board is made up of five people – one is from public at large and one is from the Department. Ray Lyon’s term is almost up, and Mr. Bullock asked the Department to find someone who is energetic, open-minded and willing to attend the meetings. He spoke on the salmon season in Challis and the rumors that the outfitted public shouldn’t be allowed to fish for salmon. He commented that all segments of the public should have the right to fish for salmon.

Mike Veile, from Soda Springs, spoke regarding concerns on big game permits that are given away to private groups for auctions and raffles. He asked that the public not be disenfranchised or excluded from use of public resources. He cited that Utah has large number of tags that are authorized for auctions and raffles and that takes away from the public. Mr. Veile does not want private groups to have authority over the allocation of wildlife resources without accountability to the public. He also encouraged the Commission to go with a bonus point system over a preference points system and to look at Arizona’s system, which he feels is the fairest and best. Commissioner Wheeler asked for Mr. Veile’s opinion of landowner appreciation permits. Mr. Veile does not want landowners to be able to set their own seasons, dates, etc. Groups in Utah have been allowed to do that. He feels that the Department provides incentive through Access Yes. Commissioner Hadley clarified that the Commission is considering a bonus points system rather than a preference points system. Commissioner Power pointed out that the Commission did approve two additional sheep tags.

Stanley Christensen, from Grace, commented on the re-licensing of power plants on Bear River. He cited the Cove Feasibility study and the Federal Energy Regulatory Commission (FERC) order issuing a new hydro-electric license on the Bear River. Mr. Christensen is concerned about the decommissioning of the Cove power plant called for in the agreement negotiated by the FERC signatories including the Fish and Game Department, BLM, Forest Service, and others. He is concerned about trading a renewable resource or taking it out. He commented that the study did not look at economic impact or how much taxes would be reduced. He asked if the Commission had approved the decommissioning and stated that there is an alternative to decommissioning. Mr. Christensen wanted to know how much money the signatories will get if the plant is decommissioned. Dick Scully indicated the Department will not get any money. Chair Gibbs suggested that the public input be completed, and Mr. Christensen and staff can discuss the issue further after the meeting adjourns.

Travis Bullock asked for clarification regarding removal of bear baiting materials in future regulations.

Representative John A. “Bert” Stevenson commented that he is looking forward to addressing the Commission regarding the Department’s relationship with the Legislature at Thursday’s meeting.

Chairman Gibbs asked that Virgil Moore and Dick Scully visit with Claire Bosen on the Oneida Narrows dam proposal and with Mr. Christensen on the FERC decommissioning.

The meeting adjourned at 8:10 p.m.

May 19, 2005

MISCELLANEOUS

Opening Comments

The meeting was called to order by Chairman Marcus Gibbs at 8:10 a.m. Commissioners Watts, Wheeler, Hadley, Wright, and Power and Secretary Steve Huffaker were present. Commissioner Irby was absent.

Chairman Gibbs recognized Commissioner Hadley for her service. Commissioner Hadley was Idaho’s first female commissioner and served twice as Commission Chair. Her terms is finished at the end of June. Chairman Gibbs presented her with gift on behalf of the Commission, and Director Huffaker presented her with a commemorative plaque and thanked her on behalf of Department staff.

Agenda Changes

Agenda Item #8 has been addressed and will not be presented. In its place, there will be a land acquisition item regarding the Andrus property. Agenda Item #18 was changed from Preference Points to Bonus Points.

Review of Public Comment

Chairman Gibbs noted the discussion of the FERC issue and the comments regarding preference/bonus points as well as the request to clarify big game regulations regarding bear baiting. Staff will follow up.

REPORTS

Legislative Review

Chairman Gibbs introduced Representative John A. “Bert” Stevenson. Representative Stevenson discussed his concerns and suggestions regarding the Department’s interaction with the Legislature. He passed out an organizational chart and suggested that the position of Commissioner should be elevated so they have more dialog with Regional Supervisors and spend more time with legislative members especially those who are on the House and Senate Resource Committee (Appendix 38, Exhibit 50). Legislators need more dialog with Commissioners regarding Department activities and issues, and Commissioners need to be more visible at the Statehouse.

He feels it is important that the Commissioners spend time together so that when issues come to the Legislature the Commission has a united voice. He suggested that conference calls be used to keep in contact on issues throughout the session. Representative Stevenson commented that he uses the Regional Supervisor to do public relations to solve public perception problems and address individual issues. He gets constituents in contact with Fish and Game staff to address issues and this works well.

He suggested that the Commission meet more often than quarterly to conduct business and stay in contact. He wants the Legislature to have greater respect for Commissioners. Representative Stevenson expressed his appreciation for Department staff and their efforts.

Chairman Gibbs thanked Representative Stevenson for his comments and suggestions. Commissioner Wheeler commented that the Commission sometimes doesn't take positions on controversial issues as they should. He stated that the Department and the Commission has to be on the same page. The Department has to accept the policy position of the Commission. The Commission needs to be more informed and knowledgeable of the issues.

Representative Stevenson commented that it is difficult for the Committee when the members get mixed messages. He also believes the Commission should take a stand on important policy issues and give direction to the Director. The Representative stated he has great respect for the Commission.

DIRECTOR'S REPORT

Commissioners received a copy of *Game Warden* magazine in their boxes. It is intended to raise money for the Idaho Conservation Officers Association and provide better communication and information for the officers. It is not a Department product but is produced by off-duty officers. It will be printed bi-annually.

In the Federal appropriations process, Harry Reid's bill regarding the quiet commerce clause passed Congress. The states in litigation have filed motions to dismiss. The litigants are still pursuing legal avenues. It is wise to continue to give non-residents a fair opportunity.

The Regional Supervisor position in Pocatello has been re-announced. There was good internal interest initially, and then people dropped out so the pool became too narrow.

Ray Lyon, who has represented the Commission for the last 9 years on the Idaho Outfitters and Guides Licensing Board (IOGLB), does not want to be reappointed. Commissioners may serve on the board, so the Commission may appoint someone from within its ranks. In the past, the Commission has appointed someone retired from the Department who is knowledgeable. The Director will provide recommendations to the Commission.

The Mule Deer Initiative coordinator job has been offered to a regional biologist from Alaska who has managing wolves to increase moose populations. He will start in July and is being hired as a Regional Wildlife Biologist. He has a master's degree and 8-10 years of good experience. As that position evolves, the Department will look at re-classifying the position. The coordinator will be based in Pocatello and supervised by the Wildlife Bureau.

There is an interagency personnel agreement between Idaho State University, the Department, and the Forest Service to bring Dr. John Kie to Idaho State to teach and give seminars. Dr. Kie is a scientist who has done work on how big game react to ATVs, roads, hunters, nutrition, and disturbance. He will look specifically at interactions between deer and elk and predator/prey relationships. This will add some independent scientific credibility to what is happening with mule deer. The Department is providing \$30,000 for the project.

Meetings on the summer agenda include department in-service training May 25-27, an Interagency Grizzly Bear Commission meeting June 6-9 in Gardiner Montana, a national Project Wild convention being hosted

by the Department June 7-11, the WAFWA annual meeting in Kananaskis, Alberta, from July 21-27, the Tri-State Directors/ Commissioners meeting August 9-10 at Harriman State Park, and the Pacific States Marine Fisheries Committee annual meeting August 22-25. The Director is one of 6 fish and wildlife director who have been invited to the President's conference on cooperative conservation August 28-31 in St. Louis, which conflicts with the scheduled Commission meeting in August. Commissioners should discuss whether to change the August meeting date. The International Association of Fish and Wildlife Agencies' meeting will be held in Nashville September 11-16.

The work on the wolf management MOA is continuing. There have been some delays due to health issues of Judge Manson with the Department of the Interior. The Department is still working with the Office of Species Conservation and the Fish and Wildlife Service on the MOA. Progress is also being made on work with the Forest Service to get permission to land helicopters in the wilderness. The issue will be decided out of the regional Forest Service office in Salt Lake City.

The ungulate research project is progressing -- 600 female deer and elk have been radio collared around the state. The Department has people monitoring the collars and checking mortality signals on approximately 250 fawns. There are animals collared in every Region including areas where there are wolves. The Department can't get collars on wolves until snow comes. The target is to have permission to land in the wilderness in time for that opportunity.

MISCELLANEOUS

Commission Reports

Southeast Region: Commissioner Gibbs commented that the snow pack has really helped the Region. Things are going well. Water in the reservoirs would help.

Southwest Region: Commissioner Watts related a story on a cow elk collared outside Emmett. They discovered that a wolf was on her tracks. She eluded it back up to McCall (65 miles away) where she reached a cliff/fence area and leapt from the cliff. She was later caught and killed by the wolf in the driveway of Regional wildlife biologist Jeff Rohlman who had helped collar her. Cascade Reservoir has been restocked with Perch, and the Region will rotenone the North Fork of the Payette to control pikeminnow. Commissioner Watts attended the Ducks Unlimited state meeting with Tom Hemker to talk about long-term vision of commission with regard to wetlands and waterfowl conservation. He reported that the conversation changed quickly to why the Commission changed the duck limits. Ducks Unlimited members didn't have a good understanding of Pacific Flyway and other Federal constraints. Commissioner Watts continues to work with Region 3 regarding WMAs, and he, the Director, and Al Van Vooren toured the CJ Strike WMA with Idaho Power. Idaho Power plans to spend a significant amount to improve the WMA.

Upper Snake Region: Commissioner Wheeler reported that things are going well. Fawn monitoring shows 71% survival at this point, so indications are good. He has seen mule deer where they haven't seen mule deer for a long time. Two mild winters and spring rain has helped deer populations. There has been work in Lost River Region with whitefish. Indications are that sage grouse counts are up. Henry's Lake might be back to a more normal fishing experience. He reported that there seems to be more wolf sightings all the time. Wolves like to travel, and people are recognizing them. The Commissioner doesn't sense the intense feelings there have been in the past. Public perception seems to be moderating as time goes by.

Panhandle Region: Commissioner Hadley reported that there will not be a kokanee season on Lake Pend Oreille. The region just had the K&K fishing derby and worked with the Lake Pend Oreille Kokanee Club to offer \$30,000 in awards. Trophy rainbow are what the fishermen want, but the Region needs to re-establish kokanee. Commissioner Hadley has heard reports of people catching 6-8 lb. bass this spring. The Region is still dealing with controversy over the Farragut Shooting range. There is a group in Bayview who does not want a rifle range in their back yard. Range managers are working on the acoustics, but people are emotional about the issue and it is dividing the community. The Region will continue to work with legislators and keep them informed. The Parks Board had their meeting in the Region to educate people on the range improvements. The Kootenai Valley Resource Initiative (KVRI) recently signed off on the burbot conservation strategy along with the Corps of Engineers (COE) and the Bonneville Power Association. The US Fish and Wildlife Service had determined that listing was not warranted, but the conservation strategy convinced the COE to manage water levels. It will be interesting to see if it works without the hammer of ESA. KVRI has established a grizzly bear committee, and Wayne Wakkinen, Regional Wildlife Biologist, is the chair. Ned Horner held a fish scoping meeting and doesn't anticipate any big changes. The Region is monitoring underpasses to determine if they are used. The Sandpoint Fish Hatchery / Water Life Fish Center is progressing well. The Region had an excellent turkey season. There is a lot of bear, elk, and deer.

Magic Valley Region: Commissioner Wright reported that the Region has had considerable precipitation since March. It has been good and bad. Vegetation is doing really well. The Region is getting a lot of cooperation from sportsmen's group in planting bitterbrush, which should do well. Reservoirs are filling up, and the delay in irrigating and cool weather should continue that trend. The projected river flows will probably keep pace with demand into early June and that will take some of the pressure off. On the down side, muddy roads have hindered efforts to trap sharp-tailed grouse in the Curlew Valley. The Region continues to relocate birds in the South Hills area. They have encountered some difficulty with sage grouse lek counts. In cooperation with the University of Florida, they attempted to use an unmanned aerial vehicle to count leks. Unfortunately, the sage grouse mistook them for predators and would not display. Enforcement has been cross-referencing our license buyer database with the Transportation Department's drivers' license database. About 20% of the suspects generated have purchased the wrong class licenses or tags. The new Regional office is on schedule for completion at the end of June in time for the open house.

Salmon Region: Commissioner Power reported that the Region received 2 inches of precipitation for May so far. Fisheries staff in the Region are doing a terrific job coordinating with other groups on aquatic education. They have worked with irrigators on Carmen Creek for total fish flush and on Morgan Creek with BLM, Forest Service, and private organizations to put in a weir to check on wild vs. hatchery fish going up the system. Commissioner Power was invited to a meeting by Fisheries staff and local outfitters concerning whether there would be outfitter opportunity to take public salmon fishing. The Commissioner is a licensed guide and feels the Region worked well with local outfitters. The Region continues to monitor the Lost River bighorn sheep which have had 6 mortalities by collared ewes – 3 were apparent falls and 2 were from mountain lions. There is some concern about disease. FNAWS recently donated \$50,000 for guzzlers. The Region continues to work on collaring Pahsimeroi sage grouse hens. The screen program is busy with the irrigation season coming on. The Salmon Region has lots of ESA, threatened or of special concern wildlife, which requires a lot of coordination with other agencies and makes management more difficult. Enforcement has been busy and had an undercover operation on steelhead anglers. Officers watched 5 anglers for several hours and noted both drug and wildlife violations. Officers supervised 25 violators doing community service including work on the Pahsimeroi Hatchery and litter pickup at fishing access sites. Chairman Gibbs noted that Commissioner Irby had a work conflict that prevented his attendance.

Clearwater Region: The Director read Commissioner Irby's written report: Anglers are excited about spring salmon fishing opportunity but are getting worried about their late arrival and low number. With recent rains, fishing has been difficult. He attended the Nez Perce Tribal Executive Committee and Commission spring fisheries meeting. The tribal attorney gave a good status report on adjudication. A joint letter from the Tribe and Department to the Forest Service was requested to encourage more elk habitat disturbance, but with recent tribal elections, this effort was put on hold. Commissioner Irby toured the new Clearwater Regional office and was very impressed. Deer Creek Reservoir is generating excitement with good trout fishing. The Jack O'Connor Hunting Heritage and Education Center at Hells Gate State Park is on track to open this summer. Commissioner Irby was glad to the Department is sponsoring the wildlife management panel at the Center. Recent dog killings by wolves by Dworshak Reservoir is the talk of the town. He is glad to see the Department working with the outfitter. This could be a taking situation since it appears the outfitter may no longer be able to run his dogs in a significant portion of the outfitted area. At a recent Department of Lands (IDL) and Timber Operators meeting, the Department was identified as not doing enough timber management on Craig Mountain WMA. According to IDL, the Department's 8-month temporary worker can't keep up with the burns and timber sales. Since timber proceeds go into the Craig Mountain WMA timber management account, more help may be warranted. The Friends of Deyo are busy generating funds for the reservoir design plans, and seed money from the Department was greatly appreciated.

Commissioner Watts reported that he attended the Idaho Chapter of FNAWS summit two weeks ago. They were very optimistic about sheep status in the state. They are pleased that the Big Lost River Range herd is coming back. They did talk pro and con about increased tags for Unit 11. The group talked about working with the Wildlife Bureau on the issue.

Consent Calendar

05-33 Commissioner Watts moved and Commissioner Hadley seconded a motion **TO APPROVE THE CONSENT CALENDAR INCLUDING MINUTES FOR MARCH 21-23, MARCH 25, AND APRIL 4, 2005, AND A BUDGET ADJUSTMENT FOR THE WILDLIFE BUREAU TO INCREASE ITS BUDGET BY \$10,000 TO EVALUATE SURVIVAL OF MULE DEER AND ELK POPULATIONS AS PART OF THE STATEWIDE ELK AND MULE DEER ECOLOGY PROJECT. THE FUNDS WILL BE PROVIDED BY A DONATION FROM THE SAFARI CLUB INTERNATIONAL FOUNDATION.** The motion carried unanimously.

REPORTS

Snake River Spring/Summer Chinook Salmon Run Update

Sharon Kiefer, Anadromous Fish Manager, provided an update on the Spring Chinook Run (Appendix 38, Exhibit 51). Just over 18,000 spring Chinook are now expected to cross Lower Granite Dam. Ms. Kiefer provided some historical context for this year's run. She explained that the current forecast is about 30% of preseason expectation. There is some forecast error in jack to adult relationship, and Fisheries is looking a how to incorporate the wide range in variability. While forecast error is in play, ocean conditions have been declining, and we will see a reduction in smolt to adult survival.

The lower run size means less hatchery surplus to fish on. The Bureau is working on updated forecast for South Fork Salmon River hatchery summer Chinook, and they expect a very small incidental take quota for the South Fork Salmon River fishery. It is still too early to make any recommendation on a season, and staff recommends a conference call for rulemaking in late May or early June.

Ms. Kiefer provided a graph to help explain the trends in spring Chinook returns since 1997 (Appendix 38, Exhibit 52). The issue with this year's return is that the progeny of the 2001 adults have not returned to replace those adults. If survival is good, it doesn't take much to get a big benefit as seen in 2001, but it can just as easily go the other direction. Ocean conditions have not lead to good survival for 2005 adults. Unfavorable ocean conditions are associated with the decline of upwelling currents and temperatures. The Victoria Index, a measure of sea surface temperatures and currents, has been declining, and populations have been declining with it. Idaho stocks have a more difficult migration to get to the ocean and will be even further depressed.

Ms. Kiefer provided Commissioners with staff recommendations for revisions to the 2005 spring Chinook "Early" fisheries season (Appendix 38, Exhibit 53). Staff is recommending a reduced catch to spread limited opportunity in space and time and manage conservatively because of limited hatchery surplus and small incidental take allowance. All open seasons will have consistent bag limit and consistent days of fishing. All rivers would roll back to a Thursday through Sunday fishing period. The Upper Snake River and Lower Salmon would be effective May 20 until further notice or June 19, whichever comes first. The Little Salmon, mainstem Clearwater, North Fork Clearwater, and South Fork Clearwater Rivers would be effective May 20 until further notice or July 21, whichever comes first. The Lochsa River would be effective May 28 until further notice or July 31, whichever comes first.

New possession limits would be 1 Daily, 3 in Possession, 10 Season (statewide) effective May 20.

Commissioner Watts suggested moving from a Thursday through Sunday to a Friday through Monday period to accommodate the high-tech workers at Micron Technology and Hewlett Packard who would not be able to participate in a Thursday through Sunday season due to shift schedules.

05-34 Commissioner Watts moved and Commissioner Wright seconded a motion **TO ADOPT AS TEMPORARY RULES STAFF RECOMMENDATIONS FOR REVISIONS TO THE 2005 SPRING CHINOOK "EARLY" FISHERIES FOR RULEMAKING WITH A FRIDAY THROUGH MONDAY TIMEFRAME** (Appendix 38, Exhibit 53). **The motion carried unanimously.**

Andrus Property Land Acquisition

Gregg Servheen, Program Manager, presented a staff recommendation to purchase 720 acres of private in-holding within the Tex Creek WMA, contiguous with the WMA along 4.25 miles of common boundary. The property was submitted to the Lands Committee in May 2004 as a proposed purchase and presented to the Commission as a recommended acquisition during executive session at the July 2004 Commission meeting. The owners were offered an easement but are interested only in fee title acquisition by the Department.

The acquisition has the support of the Bonneville county commissioners and local sportsmen. It has been identified as an important piece of property that supports populations of elk, moose, and deer, has a sharp-tailed grouse lek, and supports Yellowstone cutthroat trout in Tex Creek.

The purchase price is approximately \$415,000. That amount is available in the HB530 account and is within the Department's spending authority.

05-35 Commissioner Wheeler moved and Commissioner Hadley seconded a motion **TO ACCEPT STAFF RECOMMENDATION TO PURCHASE THE ANDRUS PROPERTY. The motion carried in a unanimous vote.**

Bear River/Bear Lake Fish Management

Dick Scully, Regional Fishery Manager, provided an overview of the geology of the Bear River/Bear Lake area and the unique fishery it supports (Appendix 38, Exhibit 54). Bear Lake covers 70,000 surface acres both in Idaho and Utah and contains endemic species found nowhere else in the world including Bonneville Cisco, Bear Lake and Bonneville whitefish, Bear Lake sculpin, native Bonneville cutthroat, and exotic lake trout. 97% of angling takes place in the Utah portion of the lake, while 35% of anglers are from Idaho. Idaho and Utah anglers can fish the entire lake on their state's fishing license. Bear Lake is co-managed by Idaho and Utah and is one of the first Dingle-Johnson funded projects in the country. Utah stocks about 200,000 cutthroat trout in the lake, and Idaho, with the help of Utah and Wyoming, developed sterile lake trout to stock Bear Lake with trophy fish.

St. Charles Creek is the largest tributary on Bear Lake. The Department is working to restore the wild run of cutthroat trout to St. Charles Creek by reducing juvenile mortality loss in diversions and reducing rainbow trout hybrid production. Methods to address these issues include screening the diversions, opening harvest to anglers, and chemical renovation if necessary.

Dr. Scully provided an overview of fishing regulations and species of fish in the Bear River, which include native Bonneville cutthroat, brown trout, triploid rainbow trout, whitefish, Walleye, smallmouth Bass, and channel catfish. He also provided information on the small reservoir fisheries in the area which provide great put and grow trout fisheries. When water is good, they have the fastest growing trout in the state.

Bear River has 855 miles of rivers and tributaries. About 65% are occupied by Bonneville cutthroat trout. The Region is looking at ways to increase density of fish throughout the drainage. In 2005, the Region began radio telemetry study to survey rivers and tributaries to track spawning. There are not many fish in the system, and the Region is considering catch and release for cutthroat on the mainstem Bear River.

Bear River hydropower mitigation's primary goal is to restore native Bonneville cutthroat trout. There is the possibility that Cove Dam may be removed, which would facilitate fish movement. PacifiCorp is providing \$467,000 annually for habitat improvements, conservation agreements, and water lease or purchase. Over \$800,000 worth of projects have been proposed for consideration. There is a proposal for a new dam on the Oneida River that was referenced in the Public Meeting. Fish and Game is discussing the proposal with anglers.

Commissioner Wheeler discussed using sterile rainbow trout to reduce the population and benefit cutthroat trout. The region has looked at reducing brook and rainbow trout and walleye, but need to see successes with habitat and native cutthroat trout populations before taking those measures. They have to satisfy angler interest and recreational needs.

John Chatburn, with the ISDA, commented that they have concentrated on improving water quality in high-priority streams. He offered the Department's help in working with cattle feeding operations to reduce impacts on the system. They can coordinate with Natural Resources Conservation Service (NRCS).

RULES

Dove and Sandhill Crane

Jim Unsworth, Chief, Bureau of Wildlife presented staff recommendations on dove and sandhill crane seasons.

- Do not offer any early goose seasons. The regular goose season is expected to be 107 days statewide and should provide adequate harvest of resident Canada geese.
- Adopt the sandhill crane season as follows with a daily limit of 2 and a season limit of 9. The first tag is offered through a standard controlled-hunt drawing and the other 8 are available at any vendor as left-over tags.

Hunt Area	Season	Permits
Caribou and Bear Lake counties	9/1-15	300
Teton County	9/1-7	35
“	9/8-15	35
Fremont County	9/1-7	35
“	9/8-15	35

No change to the mourning dove season, which is 9/1-15 and a bag of 10 and 20. This would require federal permission. Staff is proposing no early goose season.

05-36 Commissioner Watts moved and Commissioner Hadley seconded a motion **TO ADOPT BY PROCLAMATION PROPOSED RULES FOR THE 2005 EARLY GOOSE, DOVE, AND SANDHILL CRANE SEASONS AS PRESENTED. The motion carried unanimously.**

Private Possession of Wildlife and Wildlife Research Facilities

Jim Unsworth presented proposed revisions to the rules governing the importation, possession, release, sale or salvage of Wildlife – IDAPA 13.01.10 (Appendix 38, Exhibit 55). The Department has statutory authority over the importation and private possession of wildlife with the exceptions of domestic cervidae, furbearers classified as livestock, and game birds classified as poultry, which are regulated by the ISDA.

Dr. Unsworth provided an overview of ISDA rule changes for 2003, 2004, and plans to revise fur farm code and develop rules for fur farm animals. John Chatburn indicated the ISDA will meet with Fish & Game regarding cervidae rules. They have been in contact with fur farmers and Representative Mike Moyle on amending the fur farm rules. The intent is to prescribe the definition of what a domestic fur-bearing animal is to restrict it to species that are raised commercially in the state for pelts.

Staff is recommending changes to IDAPA 13.01.10 to allow the rules for private possession of wildlife for Fish and Game to be compatible with the rules for private possession of wildlife for the ISDA. This will allow more uniform interpretation of statute and improved coordination between the two agencies. Changes include revising terminology of “big game animals” back to “wildlife,” disallowing feeding of captive wildlife by the public, and revising health standards for birds used on shooting preserves.

05-37 Commissioner Watts moved and Commissioner Power seconded a motion **TO ADOPT AS TEMPORARY RULES STAFF RECOMMENDATIONS ON CHANGES TO IDAPA 13.01.10 (APPENDIX 38, EXHIBIT 56). The motion carried unanimously.**

REPORTS

Outfitter Allocation Overview

Jim Unsworth presented a history of allocation, statutory authority, Commission rules, and current issues (Appendix 38, Exhibit 57). Allocation has been working quite well for several years, but there is occasionally a snag. The goal has been to allocate tags with reductions done in a proportionate manner.

Allocation started with the last elk plan revision when the Department went to a zone system and capped zones, which were important from outfitter and non-resident perspective. Years ago, non-resident elk tags sold out quickly and the outfitting public did not have an opportunity to work with outfitters to book a hunt before the tags were gone. The Department was then allowed, by statute, to set aside a certain number of elk tags based on historic use. However, as more controlled hunts came into play and tag numbers were reduced, outfitters lost opportunity.

Outfitters' concerns about the equitable distribution of opportunity between outfitted and nonoutfitted hunters prompted the Department to convene an allocation team. Members of the allocation team included Department of Fish and Game, outfitters, the Forest Service, and the public. Guidelines were developed to ensure that nonoutfitted and outfitted clients were treated proportionately. Changes in hunting opportunity were to be addressed fairly between outfitted and nonoutfitted hunters.

Legislation and Commission Rule were established in 1997 that provided the statutory authority for the Commission to establish outfitter allocation. For general hunts, the allocation is based on historic use as provided by the IOGLB. For controlled hunts the Commission Rule allows outfitter allocation based on one of three criteria: a variable scale up to 3%, historic use, or no allocation.

Currently, outfitters are required to use their allocation, established by the IOGLB, before using tags from the nonresident pool. Some outfitters are still pulling tags from the nonresident pool prior to using their allocation. The issue of sportsmen not being able to find an outfitter or wanting a different outfitter than the one licensed for the area was cleared up this past January. Now, applicants for allocated controlled hunts must first sign an agreement with an outfitter and have a voucher in order to apply for a controlled hunt. The Commission has had limited flexibility based on the three criteria. The process has worked well, but the Commissioners discussed whether there should be an additional option. They agreed to discuss how to create more flexibility in the system. It is important to let outfitters know well in advance what their allocation will be as season changes can have a very negative impact.

Historical records were incomplete in the beginning, but there are now good records. The more the Commission changes the rules, the more the IOGLB has to change to keep accurate records. The Director commented that the Department and the IOGLB work well together. He asked the subcommittee not to further complicate but rather simplify the system and provide a policy direction.

Chairman Gibbs established a subcommittee to bring recommendations to the November meeting for potential adoption at the January 2006 meeting. Commissioners Watts, Power, and Wright will work with staff and report back at the November meeting.

Hunter Education Instructor of the Year Award

The Idaho Fish & Game Commission recognized Jim Greenhalgh as Idaho Hunter Education State Instructor of the Year 2004. Mr. Greenhalgh has been a volunteer hunter education instructor since 1992. He has led or assisted nearly 170 classes and has taught nearly 4,000 students. He will receive a lifetime fishing license. Commissioner Wheeler presented the award. Mr. Greenhalgh addressed the Commission and commented that he would like to see more youth hunts to attract and retain future sportsmen.

Update on Landowner Appreciation Program (LAP) from Fish and Game Advisory Committee

Carl Rey, Chairman of the Fish and Game Advisory Committee, provided an update on the Committee's discussion and ideas for LAP and comments on the Access Yes! program. Mr. Rey has been on the committee since 1998.

The Advisory Committee was created by statute and consists of 6 members appointed by Fish and Game and 6 members appointed by the Department of Agriculture. The Committee's function is to work toward the betterment of landowner sportsmen relations. The provide oversight of depredation, LAP, and Access Yes! programs. Any formal recommendations the Committee makes are based on consensus. If they fail to reach consensus, they do not comment. Since 1998, the Committee has helped develop the conceptual models of LAP and Access Yes!

The Committee has made a tremendous investment in LAP, and the Department has done a wonderful job in implementing the program. The Committee has closely monitored the programs, and they know there are issues. However, they believe the programs have been very successful and needed time to mature. Many of the committee members participate in the programs, and they recognize that the timing is now right to address situations and issues. However, they believe that changes should be made to Access Yes! rather than to LAP.

Mr. Rey explained that many of the comments regarding issues with LAP have been forwarded to the Committee since the last meeting in April and are not scheduled to be debated again until their meeting in June. If the Commission wants a recommendation before late June, they can meet sooner.

Mr. Rey outlined 3 main problems with LAP and Access Yes! 1) Landowners of small acreages (less than 640 acres) do not qualify for LAP, and they are not fully engaged because they don't qualify for permits under Access Yes! 2) Landowners of very large acreages (greater than 10,000 acres) are not allowed more than 2 permits in any one species, but are, in effect, monopolizing the drawing odds on those permits for which they are eligible in certain zones; 3) Oversubscription for exceeding limited permits in some controlled hunt units to the extent that some qualified landowners recognize they will probably not ever receive permits no matter how long they apply.

LAP was intentionally created to have rigid guidelines and procedures, and the Committee feels it is working the way it was intended even though there are some problems. At the April meeting, the Advisory Committee voted unanimously that the LAP program be maintained in its current form. The Committee concluded that issues can't be addressed through changes to LAP without sacrificing the program itself.

Mr. Rey encouraged the Commission to look at modifying or adding another dimension to the Access Yes! program or creating an additional program targeting large corporate landowners. Access Yes! was conceptualized to be much more flexible and adaptable. They believe that a habitat enhancement and/or

management-based incentive component added to Access Yes would be a positive addition. It would reward prime habitat and habitat quality, complement the Mule Deer Initiative, and would leverage other Farm Bill and state conservation program funds. They support using specially allocated controlled hunt permits as a form of payment toward bids of landowners enrolled under Access Yes! if the landowners provide access. The use of permits as a method of Access Yes! payments would complement the monetary payments currently used. Habitat improvements would moderate the additional tags, and action could be accomplished under existing rulemaking authority. There is an additional 15% set aside available to allocate to a new habitat component of Access Yes! Small landowners could bid into the program, and large landowners could bid beyond the two tag limit. The program addition would address those landowners who don't receive a tag every year. It would bring multi-year easements/contracts and long-term habitat plans into the fold. A sportsmen review committee would review and approve bids. The Committee would recommend implementing a pilot program for instance in Unit 45 if the Commission would consider this solution.

Commissioners agreed that LAP can be improved. There is currently no stipulation regarding access, and there could and should be, and there is no stipulation to do anything with habitat. Beyond that, the landowners are selling the tags or access for large amounts of money. Sportsmen feel additional tags are being taken and there is no habitat or access. Mr. Rey commented that the Committee doesn't necessarily disagree, but you can't fix all the problems with changes to LAP. The question of selling tags is an issue, and the Committee feels it is a standalone issue they cannot address. They could not reach consensus on the issue of selling LAP tags or on the definition of "reasonable access." There are ways to deal with large landowners who are setting up separate LLCs without undermining the entire LAP framework. Chairman Gibbs commented that landowners should be able to sell their tags outright. Commissioners concurred that the issue should be addressed before the next legislative session.

Commissioner Wheeler commented there was no reason the Commission and the Advisory Committee can't each be working to address the issues. Commissioner Wheeler suggested a workshop or a subcommittee to discuss the Commission's ideas. Commissioner Hadley suggested a policy statement on landowners and sportsmen working together to protect the resource and perpetuate hunting heritage that the Commission can use as a big picture guide for LAP and Access Yes!

Commissioners agreed to hold a one-day workshop regarding LAP and Access Yes! on Wednesday, June 29, in Boise starting at 9:00 a.m. Commissioners should circulate their ideas on the vision statement prior to the workshop. They also discussed inviting people from other states who have addressed these issues. Mr. Rey commented that the Committee did research, and Colorado's model on corporate landowner programs would be a good example. He also suggested inviting Steve Elam, landowner sportsmen coordinator from the Magic Valley Region, to the workshop.

The Advisory Committee will have white paper recommendations to Commissioners prior to the June 29 workshop. Chairman Gibbs requested that Mr. Rey and Dr. Marlbor present the recommendations at the July 7-8 Commission meeting.

FY '06 Budget Approval

Jim Lau, Chief Bureau of Administration, presented the Department's operating budget for fiscal year 2006 (Appendix 38, Exhibit 58).

05-38 Commissioner Watts moved and Commissioner Power seconded a motion **TO ACCEPT STAFF RECOMMENDATIONS FOR THE FISCAL 2006 OPERATING BUDGET**. The motion carried in a unanimous vote.

Follow-up on Budget Process

Jim Lau presented an update on the budget process (Appendix 38, Exhibit 59). He met with Ray Houston, the Department's Budget Analyst with the Legislative Services Office (LSO) and with Larry Schlicht, Senior Financial Management Analyst with the Division of Financial Management (DFM). He commented that LSO and DFM want the detail of the current Shareholders' Report, so the Administration Bureau may do a second version to provide a more simplified, executive summary.

The goal is to narrow the gap between budget appropriations and expenditures. The process will move to bring the budget more in line with the Department's Strategic Plan. The next step is to identify measurements related to the goals.

Commissioner Hadley asked for staff and Commission recommendation on the balance of the budget stabilization account and whether the fleet management account could be reduced. Staff is comfortable moving \$1 million from the fleet account into the budget stabilization fund. The Director commented there is enough cash flow in the fleet account to use some of that to balance license revenue and budget for fiscal '07. This would help clarify the spending pattern and demonstrate that the Department is living on cash flow. There may be opportunities to acquire wildlife habitat if land is idled due to water issues. Funds will still be there to address emergency needs if necessary. By fiscal '07 the Department will be required to align the budget with the strategic plan and have measurable outcomes for legislative review through the Office of Performance Evaluation.

Commissioners were satisfied with continued updates from staff on development of the Fiscal '07 budget. The budget will be presented at the July meeting.

The Director asked for Commission direction on budget priorities that JFAC cut from the Fiscal '06 budget. Commissioner Watts suggested that the Department spend time with legislators over the course of the summer to inform and educate them about the Department's budget and make sure they understand that it reflects what constituents have requested.

Changes / Simplifications to Licenses

Steve Barton, Assistant to the Director, provided an update on the progress of the task force studying options to simplify the license system (Appendix 28, Exhibit 60). There are currently 37 license and tag types. The options being considered would reduce that to 18. The group also looked at controlled hunts, and has considered combining the tag and permit once an individual is drawn. The group has talked about a family fishing license, but pricing is difficult and there is an issue of how to incentivize marginal anglers to participate without reducing full-paying license buyers. The estimated fiscal impact would be about \$200,000 in the positive.

Commissioner Wheeler commented that vendors and the public will welcome a simplified license structure. Commissioners concurred that the task force continue to meet and work on simplifying the license system.

Bonus Points

Jim Unsworth provided an update of progress on a bonus points system (Appendix 38, Exhibit 61). In developing the options, the focus is on deer, elk, antelope, and moose to provide reasonable opportunity for new hunters, treat residents and non-residents equally, and develop a system sportsmen support. Nevada's system is being used as a model. To maximize point value, the system would include a nonrefundable license fee for applications, require a fee for earning points, allow no more than 1 point per year, and not allow points to be transferred or sold. For high demand hunts, bonus points alone won't significantly improve odds; those will require additional methods.

Future decisions would benefit from public input on expectations, whether hunters support the proposed bonus point system, how much hunters are willing to pay, and should hunters be allowed to earn "points" for specific species. The plan for public scoping includes a random survey, web-based survey and public meetings this summer. The timeline calls for Administration staff to develop internal and external cost estimates in July, public scoping August through September, Commission consideration in November, Commission adoption in January of 2006, and implementation in April of 2006. Administration staff will be traveling to Montana to look at the system they purchased and the costs for implementation.

Commissioner Wheeler suggested that non-residents be included in the survey. Staff will report on the development of scoping questions at the July meeting.

Mule Deer Initiative Status Report

Jim Unsworth introduced Paul Wackenhut and Don Jenkins and thanked them for their work on MDI. The coordinator position has been filled, and the new employee will start on July 18. The position was reclassified from limited service to classified and was announced in mid-April.

Mr. Unsworth reviewed current activities (Appendix 38, Exhibit 62). Habitat projects are ongoing and include shrub plantings, riparian projects, and aspen restoration. The Region is working on comments on proposals for treating sage brush on winter ranges. Fawn monitoring data from this year shows the best survival documented since the program began in 1998. Fawn mortality was due mainly to malnutrition and mountain lion predation as well as some coyote, wolf, and bobcat predation. The ungulate research project will provide more information on mortality over time. Many mortalities are unknown even through necropsy.

Communications efforts have included features in the Fish and Game News, media releases, sportsmen meetings, volunteer shrub plantings, and a shrub growing project with area schools. Predator management included Wildlife Services efforts on coyote control. Currently, access management efforts include the Caribou Forest Travel Plan and the Sawtooth Forest Travel plan. The Department also sponsored Farm Bill workshops and is working with John Keys at ISU on a collaborative research project.

Commissioner Watts asked about predator control and whether it is worth it. Mr. Unsworth commented that predator control can make a marginal difference especially in certain conditions such as a severe winter. If you look closely over time, it probably is not worth the dollars spent. Commissioner Wright commented that predator control can make a significant difference depending on terrain, type of predator, and other factors.

Amend Military Rain Check/Refund Policy

Steve Barton explained that the previous rule pertained specifically to Operation Iraqi Freedom and allowed refunds or exchanges only for the 2004 hunting and fishing seasons. National Guard and Reserve members continue to be deployed to war zones in the Middle East. The Department recommends amending the rule to offer the refund/rain check on an ongoing basis to those deployed to combat zones.

05-39 Commissioner Hadley moved and Commissioner Wheeler seconded a motion **TO ADOPT AS TEMPORARY RULES AMENDMENTS TO THE MILITARY RAIN CHECK AND REFUND POLICY AS RECOMMENDED BY STAFF (APPENDIX 38, EXHIBIT 63)**. The motion carried **unanimously**.

Miscellaneous

Commissioners Wright, Power, and Watts will attend the WAFWA Annual Meeting in Alberta in July. Chairman Gibbs will get back to the Director regarding attendance at the PSMFC meeting in August.

The August Commission meeting will remain on schedule for August 29 and 30.

Executive Session

05-40 Commissioner Hadley moved and Commissioner Watts seconded a motion **TO HOLD AN EXECUTIVE SESSION, PURSUANT TO IDAHO CODE 67 2345((1) (b) (c) and (f) PERTAINING TO LEGAL, PERSONNEL, AND LAND ACQUISITION MATTERS**. The motion carried in a **unanimous vote**.

The session began at 4:35 p.m.

05-41 Commission Hadley moved and Commissioner Wheeler seconded a motion **TO INCREASE THE DIRECTOR'S SALARY BY 8% EFFECTIVE AS OF JANUARY 1, 2005**. The motion carried in a **unanimous vote**.

The session concluded at 5:25 p.m.

The meeting adjourned at 5:28 p.m.